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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,566	03/26/2005	Per Johansson	2539LN.eh	9236
21254	7590	05/03/2007		
MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC			EXAMINER	
8321 OLD COURTHOUSE ROAD			KIM, CHRISTOPHER S	
SUITE 200				
VIENNA, VA 22182-3817			ART UNIT	PAPER NUMBER
			3752	
			MAIL DATE	DELIVERY MODE
			05/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/510,566	JOHANSSON, PER	
	<b>Examiner</b>	<b>Art Unit</b>	
	Christopher S. Kim	3752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 January 2007.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The reply filed on January 30, 2007 is acknowledged.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "...the electronic circuit is connected to a circuit for regulating one or more valves for adjusting the measured pressure..." recited in claim 1; the "low energy or battery section" recited in claim 6; the "IR and Blue Tooth" recited in claim 15 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

4. Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "proximity" in claim 1 is a relative term which renders the claim indefinite. The term "proximity" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is uncertain what distance is defined by the term "proximity." Claims 16, 17 and 20 contain similar recitations.

Claim 1 recites, "...gas or liquid occurring in one or more ducts in the nozzle, or mixtures of one or more gases and/or one or more liquids..." It is uncertain what gas, liquid or combination thereof is being defined. For example, it is impossible to have a mixture of one gas.

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Claim 1 recites, "...or mixture..." in line 6. It is uncertain whether it is in reference to a mixture of gases and or liquids.

Claim 1 recites the limitation "the measured pressure" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "...said one or more ducts in the nozzle comprises one liquid duct and a plurality of gas ducts..." The claim is indefinite where the "one or more ducts" defines "one duct." The claim is indefinite wherein only gas occurs in the one or more ducts (possible configuration defined in claim 1).

Claim 4 recites, "...for executing thousands of measurements per second for realizing as exact and rapid a regulation as possible..." The metes and bounds of the claim cannot be determined. Claims 8 and 9 contain similar recitations.

Claim 5 recites the limitation "the measurements" in line 2. There is insufficient antecedent basis for this limitation in the claim.

The term "low" in claim 6 is a relative term which renders the claim indefinite. The term "low" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is uncertain what level of energy is defined by the claim. Claims 10-13 contain similar recitations.

The term "immediate proximity" in claim 6 is a relative term which renders the claim indefinite. The term "immediate proximity" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the

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invention. It is uncertain what distance is defined by the claim. Claims 10-13 contain similar recitations.

Claim 6 recites the limitation "the measurement pressure" in line 3. There is insufficient antecedent basis for this limitation in the claim. Claims 10-13 contain similar recitations.

Claim 6 recites, "...transferred to peripheral equipment." The preamble recites, "a device in a nozzle..." (subcombination) but the recitation "peripheral equipment" defines a combination of the device in a nozzle and a peripheral equipment. Claims 10-13 contain similar recitations.

Claim 14 recites, "...said mixtures of one or more gases and/or one or more liquids comprises one of air and paint." The recitation "comprises" renders the claim indefinite. Where the mixtures of one or more gas comprises paint renders the claim indefinite. Where the mixtures of one or more liquids comprises air renders the claim indefinite.

Claim 15 recites, "Blue Tooth." Recitation of trademark renders the claim indefinite.

Claim 16 recites the limitation "a plurality of pressure indicators" in line 1. Parent claim 1 defines a "pressure indicator." It is uncertain how many pressure indicators are defined by claim 16. It is uncertain whether claim 16 requires a plurality of pressure indicators or a plurality of pressure indicators in addition to the pressure indicator of claim 1. Claim 17 contains similar recitation.

Claim 19 recites, "...said one or more ducts comprises a gas duct and a plurality of liquid ducts." The claim is indefinite where the claim defines one duct.

The term "proximate" in claim 18 is a relative term which renders the claim indefinite. The term "proximate" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is uncertain what distance is defined by the claim. Claim 21 contains similar recitation.

#### ***Claim Rejections - 35 USC § 102***

5. Claims 1, 3, 6, 11, 14, 18 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohhashi et al. (4,556,815).

Ohhashi discloses a nozzle 2 having a duct 27; a pressure indicator 20; an electronic circuit 21; a circuit 17, 18, 19; a valve 5.

Regarding claim 3, the manner in which the "circuit" is intended to be employed, "for converting an analog signal to a digital signal," does not distinguish the claimed invention from the prior art which discloses the claimed structural elements.

#### ***Claim Rejections - 35 USC § 103***

6. Claims 4-5, 9, 12, 13, 15, 16, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohhashi et al. (4,556,815).

Regarding claims 4 and 9, the manner in which the "processor" is intended to be employed, "for executing thousands of measurements per second for realizing as exact

and rapid a regulation as possible," does not distinguish the claimed invention from the prior art which discloses the claimed structural elements.

Ohhashi discloses the limitations of the claimed invention with the exception of the processor, data medium and IR or Blue Tooth. These components are well known in the art. It would have been obvious to a person having ordinary skill in the art at the time of the invention to have utilized modern day computer technology in the device of Ohhashi for speed and convenience.

Regarding claims 16 and 20, Ohhashi discloses the claimed invention with the exception of the plurality of pressure indicators. Doing so is a mere duplication of parts. It would have been obvious to a person having ordinary skill in the art at the time of the invention to have provided a plurality of pressure indicators in the device of Ohhashi for backup.

### ***Response to Arguments***

7. Applicant's arguments filed January 30, 2007 have been fully considered but they are not persuasive.

Applicant argues that Ohhashi does not teach a pressure sensor mounted in the proximity at the end of a duct in the channel. Ohhashi teaches a sensor 20 at end of duct 27.

Applicant argues that figure 9 shows the circuit for regulating one or more valves 19. Figure 9 fails to show "...connected to a circuit for regulating one or more valves for **adjusting the measured pressure...**"

Applicant argues that figure 9 shows a battery section, IR or Blue Tooth. Figure 9 merely shows a box diagram. No "battery," "IR" or "Blue Tooth" can be perceived from figure 9.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

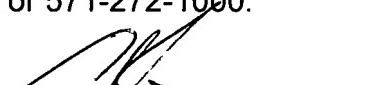
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. Kim whose telephone number is (571) 272-4905. The examiner can normally be reached on Monday - Thursday, 6:30 AM - 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on (571) 272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Christopher S. Kim  
Primary Examiner  
Art Unit 3752

CK